

## CHAPTER 68 CHARTER SCHOOLS

**281—68.1(79GA,SF348) Purpose.** The purpose of a charter school established pursuant to 2002 Iowa Acts, Senate File 348, and this chapter shall be to accomplish the following:

1. Improve student learning;
2. Increase learning opportunities for students;
3. Encourage the use of different and innovative methods of teaching;
4. Require the measurement of learning outcomes and create different and innovative forms of measuring outcomes;
5. Establish new forms of accountability for schools; and
6. Create new professional opportunities for teachers and other educators, including the opportunity to be responsible for the learning program at the school site.

These rules provide the criteria and weighting for those criteria that the state board shall use to determine if an application will be selected as one of ten authorized pilot charter schools.

**281—68.2(79GA,SF348) Conditional effectiveness.** Pursuant to 2002 Iowa Acts, Senate File 348, section 16, these rules take effect upon such time as the department receives federal funds that are provided to the department under Pub. L. No. 107-110, the No Child Left Behind Act of 2002 (Title V, Part B), for the purposes of providing financial assistance for the planning, program design, and initial implementation of pilot charter schools.

**281—68.3(79GA,SF348) Definitions.**

*“Department”* means the Iowa department of education.

*“Pilot charter school”* means a new school designated by the state board and created within an existing attendance center, or a new school created by converting an existing attendance center to charter status.

*“School board”* means a board of directors regularly elected by the registered voters of a school district.

*“State board”* means the state board of education.

**281—68.4(79GA,SF348) Application to a school board.** Starting July 1, 2002, a school board shall begin accepting applications for the planning and operation of a charter school within the boundary lines of a school district. Prior to accepting applications, a school board shall adopt procedures, criteria and weighting for the criteria to determine approval or denial of an application. A school board may adopt the procedures, criteria and weighting for the criteria as established by these rules. In addition, an application that has been submitted and subsequent school board action on any application shall, at minimum, meet the provisions of 2002 Iowa Acts, Senate File 348.

**281—68.5(79GA,SF348) Review process.**

**68.5(1) Application to the department.** Upon approval of an application for the proposed establishment of a charter school, a school board shall submit to the department an application for approval to establish the charter school. The department shall appoint, at a minimum, seven individuals knowledgeable in student achievement and nontraditional learning environments to review each application. A reviewer shall not review any application in which the reviewer has an interest, direct or indirect.

**68.5(2) *Ranking of applications.*** Applications shall be ranked on a point system, and applications shall be recommended to the state board in rank order beginning with the application with the highest points. In the event that two or more applications tie, one or more additional reviewers shall review the applications until the tie is broken.

The maximum points for an application shall be 78. The maximum points for each criterion provided in 2002 Iowa Acts, Senate File 348, shall be as follows:

*a. Overview.* The maximum number of points that may be awarded for the description of the mission, purpose, innovation, and specialized focus of the charter school is 10.

*b. Organization and structure.* The maximum number of points that may be awarded is 22. The description of organization and structure shall include:

(1) The charter school governance and bylaws.

(2) The method for appointing or forming an advisory council for the charter school. The membership of an advisory council appointed or formed in accordance with this chapter shall not include more than one member of the school board. The advisory council shall, to the greatest extent possible, reflect the demographics of the student population to be served by the pilot charter school.

(3) The organization of the school in terms of ages of students or grades to be taught along with an estimate of the total enrollment of the school.

(4) The method for admission to the charter school. The admission policy shall support the purpose and specialized mission of the charter school.

(5) The number and qualifications of teachers and administrators to be employed.

(6) Procedures for teacher evaluation and professional development for teachers and administrators as required under 281—Chapter 12 and the Iowa teaching standards.

(7) A plan of operation to be implemented if the charter school revokes or fails to renew its contract.

*c. Facilities support.* The maximum number of points that may be awarded is 18. The description of facilities support shall include:

(1) The provision of school facilities.

(2) The financial plan for the operation of the school including, at a minimum, a listing of the support services the school district will provide, and the charter school's revenues, budgets, and expenditures.

(3) Assurance of the assumption of liability by the charter school.

(4) The types and amounts of insurance coverage to be obtained by the charter school.

(5) The means, costs, and plan for providing transportation for students attending the charter school.

*d. Student achievement.* The maximum number of points that may be awarded for the description of the school's student achievement strategies and measures is 25. The description shall include:

(1) Performance goals and objectives in addition to those required under Iowa Code section 256.7, subsection 21, and 281—Chapter 12, by which the school's student achievement shall be judged, the measures to be used to assess progress, and the current baseline status with respect to the goals.

(2) The educational program and curriculum, instructional methodology, and services to be offered to students.

(3) A statement indicating how the charter school will meet the purpose of a charter school as outlined in 2002 Iowa Acts, Senate File 348, section 1, subsection 3, and the minimum state and federal statutory requirements of a charter school as outlined in 2002 Iowa Acts, Senate File 348, section 4, subsection 2.

*e. Waivers.* The maximum number of points that may be awarded for the explanation of waiver conditions is 3. The explanation shall include:

(1) The specific statutes, administrative rules, and school board policies with which the charter school does not intend to comply.

(2) The anticipated impact of any requested waiver on students, student achievement, faculty and parents.

**68.5(3) State board.** The state board shall review the recommendations provided by the department. The state board shall by a majority vote approve or deny an application. The department shall notify applicants within 14 days of the state board's decision.

These rules are intended to implement 2002 Iowa Acts, Senate File 348.

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## CHAPTER 69

### WAIVER OF SCHOOL BREAKFAST PROGRAM REQUIREMENT

Rescinded IAB 8/21/02, effective 9/25/02